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Claims 1-11, 14, 16-17, 20, 22-25, and 27 are pending in this application. Claims 1-11, 14, 16-17, 20, 22-25, and 27 stand rejected.

Applicants have canceled claims 23-25.

Applicants have amended claim 11 to recite an amended list of biological samples. Support for this amendment may be found throughout the specification as originally filed (see e.g., page 24, lines 5-10).

Applicant has amended claim 22 so that it depend from claim 20.

Applicants have amended claim 27 to recite an amended list of diseases. Support for this amendment may be found throughout the specification as originally filed (see e.g., page 22, lines 19-22. see also, page 20, lines 15-29).

These amendments add no new matter.

THE OFFICE ACTION35 U.S.C. § 112, first paragraph

Claims 11, 23-25, and 27 stand rejected under 35 U.S.C. § 112, first paragraph as lacking enablement. The Examiner contends that the specification "while being enabling for the treatment of colon cancer, does not reasonably provide enablement for the treatment of all other diseases embraced by the instant claims." Applicants traverse. Nevertheless, to expedite prosecution, applicant has amended claim 11 to recite biological samples "selected from cell cultures or extracts thereof; biopsied material obtained from a mammal or extracts thereof; blood,

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saliva, urine, feces, semen, tears, or other body fluids or extracts thereof."

Claim 11 is enabled for inhibiting Aurora-2, GSK-3, or Src activity in one of the above-mentioned biological samples. One of skill in the art would reasonably expect compounds that inhibit Aurora-2, GSK-3, or Src in a biological assay to also inhibit Aurora-2, GSK-3, or Src in these biological samples. Moreover, the claim is not directed to internal administration of Aurora-2, GSK-3, or Src inhibitors as therapeutic methods. Amended claim 12 relates to the use of compounds in biological samples that are outside the body. One of skill in the art would understand that cell cultures or extracts thereof; biopsied material obtained from a mammal or extracts thereof; blood, saliva, urine, feces, semen, tears, or other body fluids or extracts thereof are biological samples outside the body. Accordingly, applicants respectfully request that the Examiner withdraw these §112, first paragraph, rejections.

Applicants have amended claim 27 to recite specific diseases associated with Src expression. Specifically, applicants have amended claim 27 to recite "osteoporosis, colon cancer, or ovarian cancer." Applicants have submitted the references cited herein that link Src with the recited disorders. See Soriano et al (abstract only - Src-deficient mice developed osteopetrosis); Wiener et al and Staley et al (antisense Src expressed in ovarian and colon tumor cells inhibits tumor growth).

Accordingly, applicants respectfully request that the Examiner withdraw the rejection of claims 11, 23-25, and 27.

35 U.S.C. § 103

Claims 1-11, 14, 16-17, 20, 22-25, and 27 stand rejected under 35 U.S.C. § 103 as being obvious over Bradbury et al., WO

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00/39101; Armistead et al., WO/01/60816; or Pease et al., WO 01/64655. The Examiner maintains his contention that "each of the references **individually** taught and disclosed compounds that are structurally analogous to the instantly claimed compounds." With respect to WO 01/39101, the Examiner contends that the reference differs from the instant claim by the position of the substituent, and thus the compounds are positional isomers. With respect to WO 01/60816, the Examiner contends that the compounds differ by a -CH₂- group, and thus are structural homologues. The Examiner cites several CCPA cases, asserting that "compounds that are structurally analogous to prior art compounds are *prima facie* obvious absent a showing of unexpected results."

Applicants traverse. However, to expedite prosecution, applicants have filed a Request for Continued examination herewith to continue prosecution of the case. Applicants plan to call the Examiner to discuss these §103 rejections.

35 U.S.C. § 112, second paragraph


Claim 22 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. The Examiner contends that claim 22 depends from canceled claim 21. Applicant has amended claim 22 so that it depend from claim 20. Accordingly, applicants request that the Examiner withdraw this 112, second paragraph rejection.

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CONCLUSION

Accordingly, applicants request that the Examiner enter the above amendments, consider the foregoing remarks, and allow the pending claims to issue.

Respectfully submitted,



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